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GAU #21

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Larg Entity) Submit an original, and a duplicate for fee pr cessing. *(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))*	Docket No. 157/43471-FWC ☐ DUPLICATE (Check box if applicable)

First Named Inventor	Examiner	Group/Art Unit
Wayne A. Marasco	B. Campbell	~~1819~~

OIPE
OCT 0 1 1998
PATENT & TRADEMARK OFFICE

Address to:
Assistant Commissioner for Patents
Box CPA
Washington, D.C. 20231

1632

This is a request for filing a ☒ continuation, or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution lication, application (CPA)) of prior application number **08/822,033** filed on **March 24, 1997** and entitled:

NUCLEIC ACID DELIVERY SYSTEM, METHODS OF SYNTHESIS AND USE THEREOF

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
   a. ☐ ***DELETE*** the following inventor(s) named in the prior nonprovisional application:

   b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent is enclosed.
5. ☐ An Information Disclosure Statement (IDS) is enclosed:
   a. ☐ PTO-1449
   b. ☐ Copies of IDS Citations
6. ☒ The fee for this application is calculated as follows:

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra		Rate		Fee
Total Claims	15	- 20 =	0	x	$22.00		$0.00
Indep. Claims	3	- 3 =	0	x	$82.00		$0.00
Multiple Dependent Claims (check if applicable)		☐					$0.00
						BASIC FEE	$790.00
						TOTAL FILING FEE	$790.00

10/05/1998 SSAHDARA 00000031 08822033
01 FC:201 790.00 DP

P21LARGE/REV06

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

OCT 01 1998
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☐ The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No.

- ☐ fees required under 37 C.F.R. 1.16.
- ☐ fees required under 37 C.F.R. 1.17.
- ☐ fees required under 37 C.F.R. 1.18.

8. ☒ A check in the amount of **$790.00** is enclosed.

9. ☒ Also enclosed:
Certificate of Mailing by Express Mail # EL142439008US

10. ☐ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

NOTES

Submit an original, and a duplicate for fee processing.

FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: **October 1, 1998**

Ronald I. Eisenstein

Signature

Ronald I. Eisenstein

Typed or printed name

30,628

Registration Number (if applicable)

☐ Inventor(s)

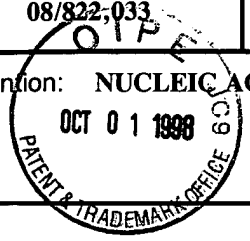
☐ Assignee of complete interest

☒ Attorney or agent of record

cc:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): **Wayne A. Marasco et al.**			Docket No. **157/43471-FWC**
Serial No. **08/822,033**	Filing Date **03/24/97**	Examiner **B. Campbell**	Group Art Unit **1819**

Invention: **NUCLEIC ACID DELIVERY SYSTEM, METHODS OF SYNTHESIS AND USE THEREOF**



I hereby certify that this **Continued Prosecution Application Request Transmittal (Large Entity)**
(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

October 1, 1998
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